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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 15576/2022**

SRI. PONNAM ASHOK GOUD

..... Petitioner

Through: Mr. Tushar Mahajan, Mr.
Rohan Yadav, Mr. Bhaavan
Mahajan and Mr. Sharan
Mehta, Advs.

versus

BAR COUNCIL OF INDIA & ANR.

..... Respondents

Through: Mr. Saurabh Sharma, Adv. for
R-1.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

ORDER

% **14.11.2022**

CM APPL. 48467/2022 and CM APPL. 48468/2022 (for exemption)

Allowed, subject to all just exceptions.

The application shall stand disposed of.

W.P.(C) 15576/2022 and CM APPL. 48466/2022 (Interim Direction)

Notice. Since the first respondent is duly represented, let a counter affidavit be filed within a period of four weeks from today. Although the second respondent has been placed on advance notice, none has appeared on its behalf when the matter was called. Consequently, let learned counsel for the petitioner take steps for service on the said respondent through all permissible modes including via approved courier service.

Prima facie and on a consideration of the submission addressed, the Court is of the considered opinion that the matter would merit consideration. It becomes pertinent to note that the State of Andhra



Pradesh was bifurcated as per the Andhra Pradesh Reorganisation Act, 2014 pursuant to which the State of Telangana came into existence on 02 June 2014. The State Bar Councils for Telangana and Andhra Pradesh came to be thereafter constituted in terms of a Gazette Notification dated 17 November 2018. The Bar Council of India takes the position that since the said Councils came to be formally constituted only on 23 December 2018 consequent to the bifurcation of an existing Bar Council, its term would have to be construed to be of 5 years. Learned counsel for the petitioner submits that merely because the State Bar Council of Telangana came to be constituted by virtue of an exercise of bifurcation of States that was initiated by the competent legislature, it cannot be said that it was not a State Bar Council which came to be constituted for the “first time” and thus subject to the rigours of Section 54 of the Advocates Act, 1961. Matter requires consideration.

List again on 14.03.2023.

YASHWANT VARMA, J.

NOVEMBER 14, 2022
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